

# Staff Summary Report



Hearing Officer Hearing Date: September 4, 2007

Agenda Item Number: 8

**SUBJECT:** This is a public hearing for a request by the **RADICK RESIDENCE (PL070236)** located at 1335 East Fremont Drive for one (1) use permit.

**DOCUMENT NAME:** 20070904dssd02

**PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Hold a public hearing for a request by the **RADICK RESIDENCE (PL070326)** (Cornel Radick, applicant/property owner) located at 1335 East Fremont Drive in the R1-6, Single Family Residential District for:

**ZUP07120** Use permit standard to reduce the rear yard setback by twenty percent (20%) from fifteen feet (15') to twelve feet (12') feet for a patio addition.

**PREPARED BY:** Shawn Daffara, Planner II (480-858-2284)

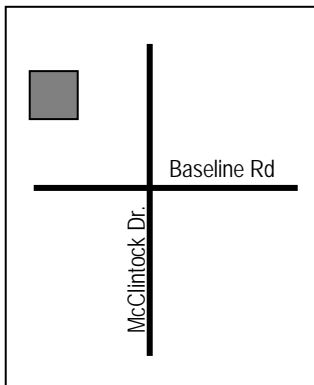
**REVIEWED BY:** Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

**LEGAL REVIEW BY:** N/A

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Approval subject to Conditions 1-3

**ADDITIONAL INFO:** The Radick Residence is requesting a use permit to reduce the rear yard setback by twenty percent (20%) from fifteen (15) feet to twelve (12) feet. The reduced setback is being requested so the property owner may expand the existing patio and family room. The columns of the patio addition would be twelve feet (12) from the south property line. There has been no public input to this request. Staff recommends approval of the use permit subject to conditions of approval.



**PAGES:**

1. List of Attachments
2. Comments; Reason(s) for Approval; Conditions of Approval; History & Facts
3. Description; Zoning & Development Code Reference

**ATTACHMENTS:**

1. Location Map(s)
2. Aerial Photo(s)
3. Letter of Intent
4. Site plan
5. Staff Photograph(s)

## COMMENTS:

The Radick Residence is requesting a use permit to reduce the rear yard setback by twenty percent (20%) from fifteen (15) feet to twelve (12) feet. The reduced setback is being requested so the property owner may expand the existing patio and family room. The columns would be twelve feet (12) from the south property line. The property is located midblock at 1335 East Fremont Drive in the R1-6, Single Family Residential District.

Staff has received no public input on this case.

## Use Permit

The Zoning and Development Code requires a use permit for a deviation from the required rear yard setback of 15'-0" not to exceed 20% or to 12'-0" in the R1-6, Single-Family Residential District. This use permit request meets all applicable tests in the following manner:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
  - There will be no significant increase in vehicular or pedestrian traffic in adjacent areas.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
  - No potential nuisances.
- c. Compatibility with existing surrounding structures and uses;
  - The proposed use appears to be compatible with surrounding the uses.

## Conclusion

Staff recommends approval of the use permit, subject to the conditions of approval.

## REASON(S) FOR APPROVAL:

1. The use appears to be compatible with the building, site and adjacent property.

**SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.**

## CONDITION(S) OF APPROVAL:

1. Obtain all necessary clearances from the Building Safety Division.
2. The use permit approval is valid from the plans as submitted to and approved by the Hearing Officer.
3. The building addition shall match the existing residence in design, color and materials.

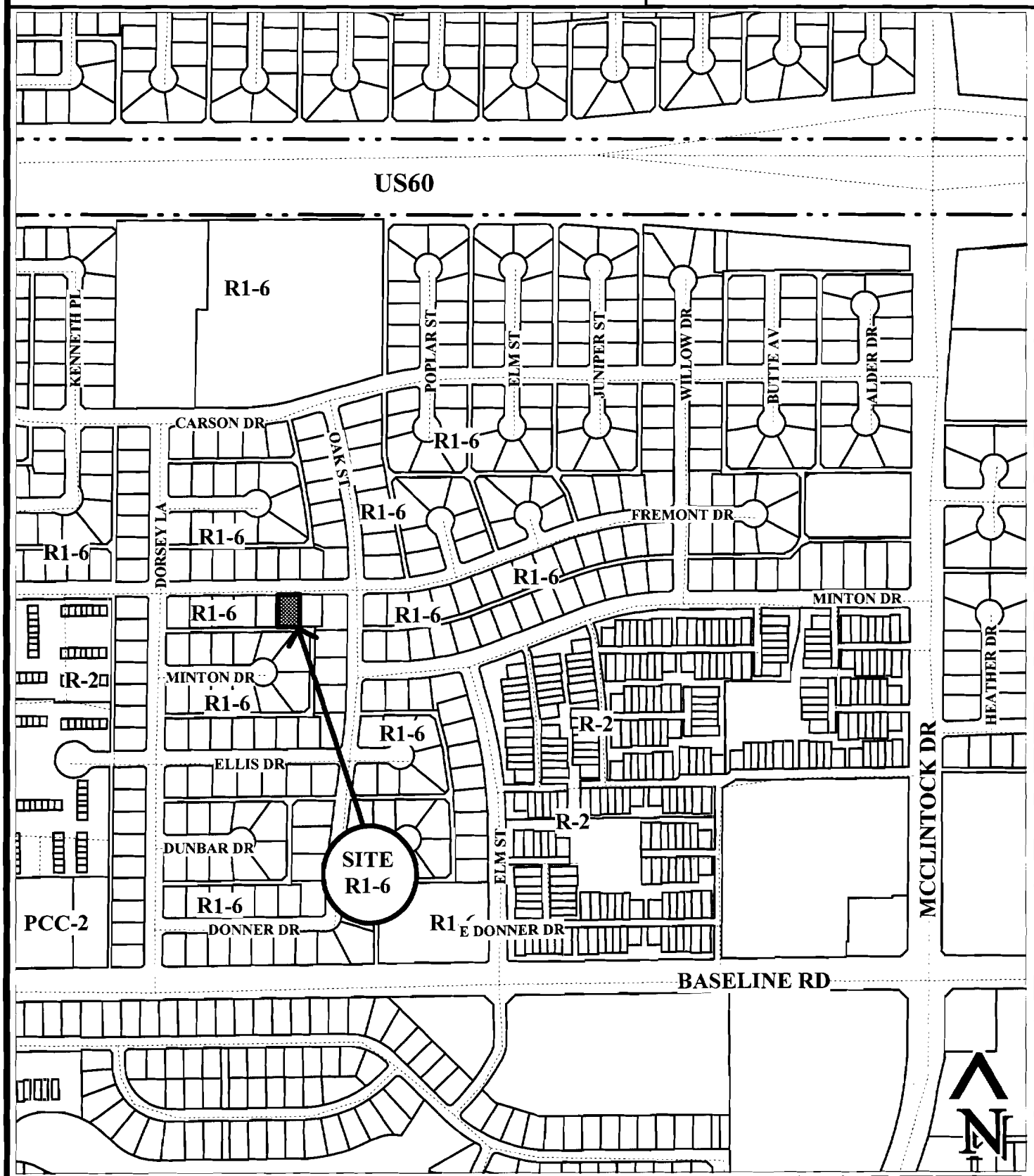
**HISTORY & FACTS:** Single Family Home constructed in 1970

**DESCRIPTION:**

Owner – Cornel Radick  
Applicant – Cornel Radick  
Existing Zoning – R1-6, Single Family Residential District  
Lot Size– 7,471 s.f. / .17 acres  
Existing Residence building area– 2,667 s.f.  
Proposed building area– 317 s.f.  
Lot coverage allowed– 45%  
Lot Coverage (proposed) –39.8%  
Required rear yard setback –15'  
Proposed rear yard setback– 12'

**ZONING AND  
DEVELOPMENT  
CODE REFERENCE:**

Part 4, Chapter 2, Section 4-202 – Development Standards for Residential Districts  
  
Part 6, Chapter 3, Section 6-308 – Use Permit

**RADICK RESIDENCE**
**PL070326**




RADICK RESIDENCE (PL070326)

To:

City of Tempe Planning Dept

July 23<sup>rd</sup> 2007

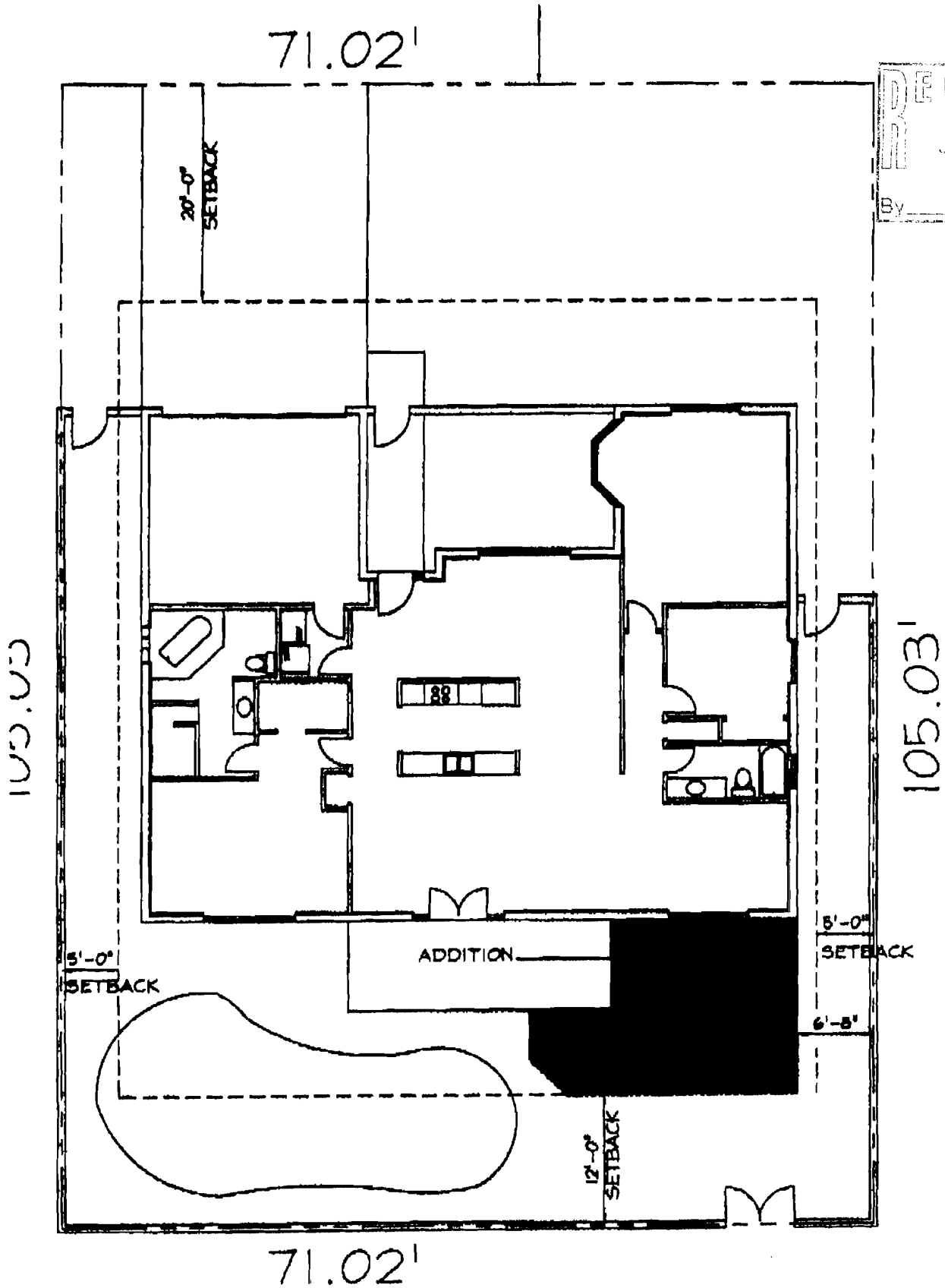
Dear Sir(s),

The reason for the Request for a use Permit on our Gazebo Construction plan, is for the placement of the South Columns.

This will give us a little more shade coverage for area.

Thank you,

Council M. Radich



RECEIVED  
JUL 24 2007  
By \_\_\_\_\_

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**RADICK RESIDENCE**

**1335 E. FREMONT DR.**

**PL070326**

**FRONT OF RESIDENCE: VIEW TO SOUTH**



**RADICK RESIDENCE**

**1335 E. FREMONT DR.**

**PL070326**

**BACK OF RESIDENCE: VIEW TO NORTH**